



12-5-05

IFW 1631

Attorney Docket No.: 19455-002001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Anthony Nicholls

Art Unit : 1631

Serial No. : 09/644,937

Examiner : John S. Brusca

Filed : August 23, 2000

Title : METHOD FOR DETERMINING A SHAPE SPACE FOR A SET OF
MOLECULES USING MINIMAL METRIC DISTANCES

MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

STATEMENT OF SUBSTANCE OF INTERVIEW

Applicant's representative, the undersigned, discussed the following items with Examiner Brusca by telephone on October 12, 2005.

1) Claims 23-26. Applicant pointed out that claims 23-26 were improperly cancelled by the Examiner's amendment that accompanied the Notice of Allowance, mailed September 14, 2005. According to the requirements of a species election (as outlined in MPEP Chapter 800), claims drawn to non-elected species, and which are initially withdrawn from prosecution, are entitled to examination upon allowance of a generic claim.

2) Information Disclosure Statement. Applicant notified Examiner Brusca that an examination report had just been received in a corresponding European patent application and that art had been cited additional to that already of record in the instant application. Applicants agreed to provide a courtesy copy of the references by facsimile to Examiner Brusca, in addition to filing an information disclosure statement.

3) Priority Claim. Examiner Brusca notified Applicant that the instant application did not enter the U.S. as a national phase under 35 USC 371, but instead was filed as a continuation claiming priority to PCT application no. PCT/US99/04343. Thus, the priority claim introduced by way of Amendment to the specification, filed March 11, 2003, was incorrect.

CERTIFICATE OF MAILING BY EXPRESS MAIL

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DECEMBER 2, 2005

Date of Deposit

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Accordingly, the Examiner stated that he would correct the record by way of Examiner's amendment. Applicant agreed to such an amendment.

Applicant thanks Examiner Brusca for facilitating resolution of these issues at such a late stage in prosecution. Accordingly, it is believed that the subject application is in proper form to proceed to issue, upon payment of the issue fee.

The instant Statement of Substance of Interview is timely filed, within 1 month of the mailing date (November 4, 2005) of the Examiner's Interview Summary.

Applicant believes that no fees are owing with this submission, however, should the Office determine otherwise, the Commissioner is hereby authorized to charge Applicant's Deposit Account No. 06-1050 (Ref. 19455-002001) for any charges or credits.

Respectfully submitted,

Date: December 2, 2005

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